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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: Repper, et al  
Application No.: 09/884,828  
Filing Date: June 18, 2001  
Title: Electronic Gas Cooktop Control with  
Simmer System and Method Thereof

Docket No.: 932-CAL  
Date: November 1, 2004  
Group Art Unit: 3749  
Examiner: Sara Sachie Clarke  
FAX No. 703 305-3463

### Petition under 37 CFR 1.78

Commissioner for Patents  
PO Box 1450  
Alexandria VA, 22313-1450

Sir:

Applicant petitions for an unintentionally delayed benefit under 37 CFR 1.78(a)(3) and (a)(6).

Please add the following to the application after the title:

This application is a continuation of PCT application PCT/US00/28624, filed October 16, 2000, which claims benefit of US Provisional Patent Application 60/159,885, filed October 18, 1999.

A fee sheet and check for the surcharge of \$1370 under 37 CFR 1.17(f) is attached.

The entire delay between the date the claim was due under 37 CFR 1.78(a)(2) and (a)(5) and the date the claim was filed was unintentional.

### CERTIFICATE OF MAILING

I hereby certify that, on the date shown below, this correspondence is being:

#### MAIL

deposited with the United States Postal Service  
with sufficient postage as express mail in an  
envelope addressed to:  
Commissioner for Patents  
PO Box 1450  
Alexandria VA, 22313-1450

Date: 11/1/04

#### FACSIMILE

transmitted by facsimile to the Patent and  
Trademark Office.

James Marc Leas

Name

Signature

932-CAL

Page 1 of 2

09/884,828

11/08/2004 SSESHE1 00000001 09884828  
01 FC:1454

If there are any questions please call applicant's attorney at 802 864-1575.

Respectfully submitted,



James M. Leas  
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802 864-1575

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NOV 05 2004

PTO/SB/17 (10-04v2)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)**1370**

Complete if Known

Application Number	09/884,828
Filing Date	JUNE 18, 2001
First Named Inventor	Repper
Examiner Name	Sara Clarke
Art Unit	3749
Attorney Docket No.	932-ca

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money Order  Other  None
 Deposit Account:

Deposit Account Number	
Deposit Account Name	

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051	130	2051 65 Surcharge - late filing fee or oath	
1052	50	2052 25 Surcharge - late provisional filing fee or cover sheet	
1053	130	1053 130 Non-English specification	
1812	2,520	1812 2,520 For filing a request for ex parte reexamination	
1804	920*	1804 920* Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805 1,840* Requesting publication of SIR after Examiner action	
1251	110	2251 55 Extension for reply within first month	
1252	430	2252 215 Extension for reply within second month	
1253	980	2253 490 Extension for reply within third month	
1254	1,530	2254 765 Extension for reply within fourth month	
1255	2,080	2255 1,040 Extension for reply within fifth month	
1401	340	2401 170 Notice of Appeal	
1402	340	2402 170 Filing a brief in support of an appeal	
1403	300	2403 150 Request for oral hearing	
1451	1,510	1451 1,510 Petition to institute a public use proceeding	
1452	110	2452 55 Petition to revive - unavoidable	
1453	1,370	2453 685 Petition to revive - unintentional	
1501	1,370	2501 685 Utility issue fee (or reissue)	
1502	490	2502 245 Design issue fee	
1503	660	2503 330 Plant issue fee	
1460	130	1460 130 Petitions to the Commissioner	
1807	50	1807 50 Processing fee under 37 CFR 1.17(q)	
1806	180	1806 180 Submission of Information Disclosure Stmt	
8021	40	8021 40 Recording each patent assignment per property (times number of properties)	
1809	790	2809 395 Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810 395 For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801 395 Request for Continued Examination (RCE)	
1802	900	1802 900 Request for expedited examination of a design application	

SUBTOTAL (1) (\$)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			-20** =	X	=
			-3*** =	X	=

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202	18	2202 9 Claims in excess of 20
1201	88	2201 44 Independent claims in excess of 3
1203	300	2203 150 Multiple dependent claim, if not paid
1204	88	2204 44 ** Reissue independent claims over original patent
1205	18	2205 9 ** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater; For Reissues, see above

Other fee (specify) *Petition*

SUBTOTAL (3) (\$)

## SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	<i>James M. Laas</i>	Registration No. (Attorney/Agent)	34372	Telephone	802-864-1575
Signature	<i>James M. Laas</i>			Date	11/1/04

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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